

## Article - Courts and Judicial Proceedings

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§3–807.

(a) (1) The judges of a circuit court may not appoint a magistrate for juvenile causes arising under this subtitle and Subtitle 8A of this title unless the appointment and the appointee are approved by the Chief Judge of the Court of Appeals.

(2) The standards expressed in § 3–806(b) of this subtitle, with respect to the assignment of judges, are applicable to the appointment of magistrates.

(3) A magistrate, at the time of appointment and at all times while serving as a magistrate, shall be a member in good standing of the Maryland Bar.

(b) (1) A magistrate appointed for juvenile causes may conduct hearings.

(2) Each proceeding shall be recorded, and the magistrate shall make findings of fact, conclusions of law, and recommendations as to an appropriate order.

(3) The proposals and recommendations shall be in writing, and, within 10 days after the hearing, the original shall be filed with the court and a copy served on each party to the proceeding.

(c) (1) Any party, in accordance with the Maryland Rules, may file written exceptions to any or all of the magistrate's findings, conclusions, and recommendations, but shall specify those items to which the party objects.

(2) The party who files exceptions may elect a hearing de novo or a hearing on the record before the court unless the party is the State in proceedings involving juvenile delinquency under Subtitle 8A of this title.

(3) If the State is the excepting party in proceedings involving juvenile delinquency, the hearing shall be on the record, supplemented by additional evidence as the judge considers relevant and to which the parties raise no objection.

(4) In either case, the hearing shall be limited to those matters to which exceptions have been taken.

(d) (1) The proposals and recommendations of a magistrate for juvenile causes do not constitute orders or final action of the court.

(2) The proposals and recommendations shall be promptly reviewed by the court, and, in the absence of timely and proper exceptions, they may be adopted by the court and appropriate orders entered based on them.

(3) Detention, community detention, or shelter care may be ordered by a magistrate pending court review of the magistrate's findings, conclusions, and recommendations.

(e) If the court, on its own motion and in the absence of timely and proper exceptions, decides not to adopt the magistrate's findings, conclusions, and recommendations, or any of them, the court shall conduct a de novo hearing, unless all parties and the court agree to a hearing on the record.

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